

STATE OF INDIANA        )  
                                  ) SS:        AND JENNINGS SUPERIOR COURT  
COUNTY OF JENNINGS    )

CAUSE NO. 40C01-0502-CB-007

IN THE MATTER OF  
JOINT LOCAL COURT RULES

**NOTICE OF PROPOSED**  
**LOCAL RULES AMENDMENTS**

The Judges of Jennings County, pursuant to T.R. 81(B), give Notice of a proposed amendments to their local court rules, and find good cause under T.R. 81(D) to deviate from the schedule for amending local rules. Supreme Court approval is not required. New language is shown by underlining and deleted language is shown by striking through.

The Court will accept input and comment on these proposed rule amendments through **May 29, 2014**. The effective date of the rule changes will be **July 1, 2014**.

Comments may be submitted to the Honorable Jon W. Webster, Judge, Jennings Circuit Court by regular mail at P. O. Box 386, Vernon IN 47282, or by e-mail at [circuit@jenningscounty-in.gov](mailto:circuit@jenningscounty-in.gov). and/or the Honorable Gary L. Smith, Judge, Jennings Superior Court, P. O. Box 490, Vernon IN 47282, or by e-mail at [tkhines@jenningscounty-in.gov](mailto:tkhines@jenningscounty-in.gov).

Dated this 28th day of April, 2014.

\_\_\_\_\_/S/\_\_\_\_\_

GARY L. SMITH  
Judge, Jennings Superior Court

\_\_\_\_\_/S/\_\_\_\_\_

JON W. WEBSTER  
Judge, Jennings Circuit Court

Copies to:

All local attorneys  
Posting in the Clerk's Office of Jennings County  
Division of State Court Administration for posting  
on their website: [www.in.gov/judiciary](http://www.in.gov/judiciary)

**LOCAL RULES OF THE  
JENNINGS CIRCUIT AND SUPERIOR COURTS  
PURSUANT TO INDIANA RULE OF TRIAL PROCEDURE 81**

**CAUSE NO. 40C01-0502-CB-007  
TABLE OF RULES**

**(Amended – effective July 1, 2014)**

LR 40-AR 8-01 -	INITIAL CASE ASSIGNMENT AND LOCAL CASELOAD PLAN
LR40-CR13-02 -	REASSIGNMENT IN CRIMINAL CASES
LR 40-TR79-03 -	SPECIAL JUDGE APPOINTMENT IN CIVIL CASES
LR 40-TR58-04-	PREPARATION OF COURT FORMS, ENVELOPES AND POSTAGE
LR 40-AR12-05	FACSIMILE FILINGS
LR 40-TR53.5-06	CONTINUANCES
LR 40-TR53.5-07 -	WITHDRAWAL
LR 40-TR3.1-08 -	BANKRUPTCY
LR 40-TR4-09 -	SERVICE OF PROCESS
LR 40-FL01-10 -	PARENTING POWER PROGRAM
LR 40-AR10-11 -	COURTHOUSE SECURITY
LR 40-AR01-12 -	ATTIRE
<del>LR 40-AR03-13</del>	<del>DRUG AND ALCOHOL PROGRAM</del>
LR 40- JR4-15 -	JURY SELECTION
LR 40-JR10-16-	JUROR PRIVACY
LR40-FL03-17	PROTOCOL FOR PROTECTIVE ORDER FILINGS
LR 40-TR65-18 -	PROTOCOL FOR EX PARTE OR EMERGENCY CUSTODY ORDERS OR EX PARTE GUARDIANSHIPS OF MINOR CHILDREN
LR-40 CR01-19 -	MEDICAL RELEASE FROM THE JENNINGS COUNTY JAIL
LR-40-CR02-20 -	FUNERAL LEAVE FROM THE JENNINGS COUNTY JAIL
LR 40-CR03-21 -	DISTRIBUTION OF MONIES RECEIVED IN CRIMINAL CASES
LR40-AR15-22 -	COURT REPORTER SERVICES
LR40-CR00-23	LATE PAYMENTS – ADDITIONAL FEE
LR40-ADR-24	MEDIATION

## **LR 40-AR 8-01 - INITIAL CASE ASSIGNMENT AND LOCAL CASELOAD PLAN**

(See Indiana Administrative Rule 8 and Indiana Rule of Criminal Procedure 2.2)

Unless otherwise required by statute, the Clerk of Courts and the Prosecuting Attorney of Jennings County, to the extent applicable, shall file the following cases in the following Court:

### Jennings Circuit Court

- 1.) ~~All Class A B and C felonies (FA, FB and FC)~~ Level 1, 2, 3, 4, 5, and 6 felonies and Murder (MR) ,~~2.) Class D felonies (FD)~~, EXCEPT those filed alleging a ~~Class D felony~~ Level 6 felony under IND. CODE §9-30-5-3 or §9-30-5-4 ~~(a)~~ and related Post Conviction Relief proceedings.
- 2.) All juvenile matters (JC, JD, JS, JT, ~~JP~~ and JM except ~~Juvenile Paternity JP~~)
- 3.) Mental Health (MH)
- 4.) All Adoption or Adoption History Petitions (AD)
- 5.) All Estates and Trust (EU, ES and TR)
- 6.) All Guardianships (GU)
- 7.) Alternating domestic relation ~~and reciprocal support actions (CT, PL, CC, MF, MI, DR and RS)~~

### Jennings Superior Court

- 1.) All ~~Class D felonies~~ Level 6 felonies alleging a violation of IND. CODE §9-30-5-3 or §9-30-5-4~~(a)FD~~
- 2.) All Infractions (IF)
- 3.) All Misdemeanors (CM)
- 4.) All Local Ordinance and Exempted Ordinance Violations (OV and OE)
- 5.) All Small Claims (SC)
- 6.) All Protective ~~on~~ Orders (PO)
- 7.) All Pro se Dissolutions (DR)
- 8.) Alternating domestic relation ~~and reciprocal support actions (DR and RS)~~
- 9.) All civil actions (CP, CT, PL., CC, MF and MI)
- 10.) All Juvenile Paternity (JP)

Any action involving a land contract, as defined in IND. CODE §24-4.4-1-301(36), shall be filed as a civil action and not as small claim.

The method of assigning alternating domestic relation and reciprocal support actions shall be by blind random draw done by the Clerk or one of the Clerk's deputies.

In criminal cases, the most serious charge filed shall determine the proper Court.

If an information alleges a violation of IND. CODE §9-30-5-3 or 9-30-5-4~~(a)~~ and any other ~~Class D~~ Level 6 felony, the case shall be filed in the Jennings Circuit Court.

**~~LR 40-AR03-13 -- DRUG AND ALCOHOL PROGRAM~~**

~~Pursuant to IND. CODE §12-23-14-16(b), the following schedule of fees is approved and adopted for the Jennings Circuit and Superior Courts, Drug and Alcohol Abuse Program:~~

- ~~• If convicted of any felony \$400.00~~
- ~~• If convicted of any misdemeanor \$300.00~~
- ~~• Richmond State Hospital enrollment processing fee \$100.00~~
- ~~• Transfer to another county \$ 50.00~~
- ~~• Monitoring and evaluation fee \$100.00~~
- ~~• Juvenile delinquency adjudications \$200.00~~